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Chairman: Mr. Butagira ..... (Uganda)

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The meeting was called to order at 10.10 a.m.

Agenda item 39 : Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/60/12 and Add.1, 276, 293, 300 and 440 and Corr.1)

1. **Mr. Kruljevic** (Serbia and Montenegro) said that his country continued to provide shelter to a large number of refugees from Croatia and Bosnia and Herzegovina. While many had acquired citizenship, much remained to be done to ensure their full integration. The Government planned to make the integration of refugees a priority and called upon the international community to provide financial assistance for that purpose.

2. Although progress had been achieved in the field of repatriation, Croatia had not fully implemented the agreed measures on housing, property repossession and reconstruction. Serbia and Montenegro had long advocated close cooperation with Croatia and Bosnia and Herzegovina regarding refugees and was fully committed to solving the remaining issues by the end of 2006, as outlined in the Sarajevo Declaration of Friendship and Partnership. The Government had submitted its road map to the Government of Bosnia and Herzegovina and urged Croatia to do the same.

3. In addition to the refugee population, there were some 250,000 internally displaced persons (IDPs) in Serbia and Montenegro. Six years after the deployment of the United Nations Interim Administration Mission in Kosovo (UNMIK), none of the necessary conditions for the safe return of IDPs to Kosovo and Metohija had been achieved. Non-Albanians in the province continued to be attacked on ethnic grounds and did not enjoy freedom of movement. They faced discrimination in virtually all spheres of life and had no access to employment or social and health services. As a result, more Kosovo Serbs were leaving Kosovo than returning there and an increasing number of returnees were selling their property and leaving again.

4. The authorities in Serbia and Montenegro remained concerned about the forced return of refugees from certain Western countries on the basis of agreements with UNMIK. Since the necessary conditions did not exist for such individuals to return to their homes, they became displaced within Serbia and Montenegro.

5. Finally, although the majority of IDPs opted for return, the Government had taken measures to integrate those who wished to stay and to ensure respect for their human rights and freedoms while they remained displaced.

6. **Mr. Shin** Kak-soo (Republic of Korea) said that his delegation remained concerned about protracted refugee situations in many parts of the world. It welcomed the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) to augment its protection role and called upon the international community to provide UNHCR with the resources needed to facilitate population resettlement and provide timely humanitarian support. It also hoped that UNHCR would coordinate with other stakeholders on gender equality, the care of refugee children, reproductive health and community development.

7. While the situation of IDPs was of increasing importance, UNHCR must not neglect its primary mandate of protecting refugees. It was gratifying that UNHCR was striving to increase its organizational efficiency through targeted planning, results-based management, strengthened oversight and improved accountability.

8. His delegation recognized the growing need for UNHCR to improve its response to emergency refugee situations and to step up its efforts in such areas as staff training, the establishment of early warning systems, and rapid deployment. It called upon all parties to the Convention and the Protocol relating to the Status of Refugees to comply with their obligations and to demonstrate political will and solidarity in sharing burdens and responsibilities.

9. **Mr. Elbashir** (Sudan) said that the Sudan had hosted many refugees in the past and would continue to do so despite the economic and social costs, but it also wished to see evidence on the ground of implementation of the principle of burden-sharing among host countries, UNHCR and the international community. Burden-sharing was particularly urgent given the chronic assistance shortfalls, the phased withdrawal of UNHCR, and its application of the cessation of hostilities to Eritrean refugees.

10. His Government called on UNHCR to implement a repatriation programme to help organize the voluntary return of Sudanese refugees to the south after the end of decades of warfare to ensure that the Comprehensive Peace Agreement would not be

endangered. The assistance already provided in that regard was appreciated, as was the humanitarian aid supplied in the face of severe security and humanitarian challenges to refugees and IDPs as a result of the Darfur crisis.

11. The agreement allowing humanitarian access to Darfur and the monitoring and coordination mechanism agreement signed with the International Organization for Migration in August 2004 had facilitated the flow of aid. It was hoped that the next round of negotiations under the aegis of the African Union would yield a final settlement before the end of the year, which would allow the work of mending the social fabric of Darfur to begin in earnest. He commended the work of UNHCR and of international donors in ensuring that the necessary resources reached the parts of the world where they were needed. However, tighter coordination was required between UNHCR and other United Nations agencies to link refugee programmes with repatriation and development strategies that would better enable refugees to resume their normal lives.

12. **Mr. Adekanye** (Nigeria) said that his Government was pleased to note the various repatriation exercises carried out by UNHCR, including the repatriation of some 7,000 Nigerians from Cameroon. As repatriation was the preferred durable solution to the refugee problem, it urged UNHCR to carry out pending repatriation exercises quickly and to ensure that the returns were sustainable.

13. The shortfall in the UNHCR 2005 budget had had a negative impact on refugee protection activities, particularly in Africa. UNHCR had warned that the repatriation and reintegration of Burundians would have to be reduced or even suspended, which would raise serious questions about the commitment of the international community to share the responsibility of caring for refugees. Many African countries had shown great generosity by hosting large refugee populations, and the international community was urged to support the High Commissioner's efforts by providing more funds for refugee protection and assistance.

14. His Government was concerned about reported incidents of attacks on refugees, human rights abuses and the increasing number of restrictive policies and barriers that prevented refugees and asylum-seekers from receiving international protection. In particular, it condemned the establishment of refugee processing centres in parts of Africa and urged countries that had been asked to consent to such a containment policy to bear in mind their obligations under international refugee and human rights instruments. It was also alarmed at the deteriorating security conditions in refugee camps in Africa as a result of increasing flows of small arms and light weapons and hoped that the creation of the post of Assistant High Commissioner (Protection) would strengthen UNHCR efforts to address the issue.

15. The increase in the number of IDPs worldwide was regrettable. UNHCR played the role of coordinator for clusters related to the protection, camp management and shelter of IDPs in conflict situations. There was a need for continued consultations to elaborate other steps, including how the decision to intervene would be made and by whom.

16. Nigeria itself had endeavoured to provide food and financial assistance to some 6,000 refugees in the Oru camp and had approved a donation of food and other critical supplies through its national emergency management agency. The Government had also allocated funds for the construction of urgently needed facilities at the camp. The peacebuilding commission would enhance current efforts to protect refugees and to achieve peace in conflict situations. It remained for UNHCR to promote the engagement of all relevant actors in a collaborative manner and to continue its current efforts to achieve peace and security not only in West Africa but throughout the continent.

17. **Ms. Laohaphan** (Thailand) said that her Government was pleased that UNHCR policies continued to promote durable solutions to the refugee problem, including the mainstreaming of the Convention Plus activities. It had been involved in the Convention Plus consultations from the start and was confident that a more systematic and situation-specific approach would be a useful tool in solving protracted situations. It hoped that the enhanced cooperation of UNHCR with other development actors and regional organizations would strengthen the capacity of countries to address the root causes of migration.

18. The increasing number of people displaced as a result of natural disasters worldwide was a cause of great concern. UNHCR was in the best position to render assistance in complex humanitarian situations, and its expertise in designing and implementing contingency plans for large-scale emergency situations could provide a blueprint for action. It was important

that it should receive the resources necessary for its protection and assistance functions. With respect to management, UNHCR should continue to keep its role and standards under review.

19. UNHCR had played an important supporting and facilitating role in consultations in the Asia-Pacific region, with a view to promoting understanding and reinforcing cooperation at the practical and technical level. Her country was proud to have worked with the Office for 30 years in various refugee crises.

20. **Ms. Ataeva** (Turkmenistan) said that, thanks to the humane policies of the President of Turkmenistan, nationals of Tajikistan, Afghanistan, Azerbaijan and other countries who for various reasons had been forced to leave their homes had found a second homeland in Turkmenistan. The necessary conditions had been created for refugees to lead a normal and decent existence, including the provision of apartments, employment opportunities and plots of land for farming, as well as access to schools, hospitals and other social institutions.

21. The UNCHR office in Turkmenistan had worked with her Government to develop national legislation in the area of humanitarian law, including legislation on refugees adopted in 1997. Turkmenistan was an active party to many international agreements on refugees, including the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. Her Government had also signed an agreement with UNHCR in 1998 which gave added momentum to their cooperative relations. Furthermore, a centre for humanitarian law had been established.

22. Other legislation included presidential decisions on procedures for granting refugee status and on the establishment of a State agency to register foreign nationals, which would be directly involved in refugee matters. In 2004, her Government had developed a programme with UNHCR to conduct a statistical survey and registration of Tajik refugees. The programme included workshops for Ministry and agency officials involved in refugee issues, technical assistance and visits by Government authorities and UNHCR officials in Turkmenistan to places of residence of refugees, where registration was carried out.

23. In April 2005, her Government had announced the decision of the President to grant citizenship to refugees during a visit of the Director of the UNHCR Bureau for Central and South-West Asia, North Africa and the Middle East. In August 2005, more than 16,000 refugees had been granted Turkmen citizenship and permanent residence permits. Her Government would continue to devote its attention to the issue of refugees, actively cooperate with UNHCR in that area and fulfil its obligations under the relevant international instruments.

24. **Ms. Mladineo** (Croatia) said that her Government appreciated the work of the UNHCR office in Zagreb in facilitating durable solutions following the Dayton Agreement and strengthening the protection of asylum-seekers and emergency preparedness in Croatia, including technical assistance on refugee legislation and training of law enforcement officers and judges. Her Government was a party to the relevant international instruments and had enacted national legislation on public housing to improve the situation of refugees and displaced persons. Her Government had undertaken several activities to facilitate the return of refugees and IDPs, including the reconstruction of damaged and destroyed housing and basic infrastructure, mine clearance and economic recovery initiatives. It had also launched several public information campaigns in conjunction with UNHCR and the Organization for Security and Cooperation in Europe in order to create a favourable atmosphere for return.

25. Since the beginning of the process of return in 1995, some 335,900 returnees had been registered, including approximately 118,000 ethnic Serbs. The remaining number of potential returnees was estimated at around 20,000. As to IDPs, there remained approximately 3,600 Croats and 1,700 Serbs, the majority of whom were waiting to return to the Vukovar region.

26. Her Government supported the recommendations of the Representative of the Secretary-General on the human rights of internally displaced persons, who had visited Croatia in June 2005, and it emphasized the need to eliminate prejudices towards returnees among local communities, further strengthen economic development and provide employment incentives.

27. The Governments of Croatia, Bosnia and Herzegovina and Serbia and Montenegro had signed a declaration in Sarajevo in January 2005 stating their wish to complete the refugee return process by the end of 2006. Her Government had adopted a road map with

clearly defined activities and deadlines and allocated €300 million to implement the declaration.

28. Although Croatia had made significant progress on the issue of refugees and IDPs, it still faced challenges, mostly involving economic obstacles. Her Government was making every effort, however, to meet the needs of returnees, particularly in relation to their safety, dignity and well-being.

29. **Mr. Singh** (India) noted that, despite the return of more than 2.5 million refugees to Afghanistan in 2004 and the resolution of some of the most protracted refugee situations in Africa, the total population of concern to UNHCR, including refugees, asylum-seekers, returnees and internally displaced persons, had grown by over 2 million. His delegation welcomed the initiatives of the High Commissioner to deal with the ongoing and new situations of refugees. As part of the Agenda for Protection, there should be a balanced approach to every one of the six goals identified. The "repatriation, reintegration, rehabilitation and reconstruction" approach needed to be further strengthened. His delegation would also like to see an assessment of the pilot programmes already initiated under that approach.

30. IDPs were first and foremost the responsibility of Member States, and UNHCR should intervene only in situations where it was explicitly requested to do so by the Member State concerned. There must be no duplication in responsibilities in that area between the different humanitarian pillars of the United Nations.

31. Current refugee movements occurred primarily in developing countries, which bore the main burden of hosting and protecting refugees. Therefore, their concerns needed to be recognized and addressed to a far greater degree than at present. The search for durable solutions to refugee problems would remain elusive until the fundamental factors that gave rise to refugee movements, such as poverty, were addressed. Development objectives, including the Millennium Declaration Goals, must underpin international efforts to ensure prevention and meet the relief and rehabilitation needs of refugees. The UNHCR mission must be based on the principles of solidarity, responsibility and burden-sharing. Developing countries of origin should be given assistance to facilitate voluntary repatriation — the best and most durable solution — particularly in the creation of economic opportunities for returning refugees.

32. The 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto did not address the phenomena of massive refugee flows and mixed migration. Without adjustments to deal with such realities, countries such as India would continue to find it difficult to accede to the present legal framework. Nevertheless, India remained committed to hosting refugees and extending superior protection to that in many highly developed countries. Refugees were able, inter alia, to buy property, engage in business and send their children to State schools.

33. **Ms. Adjalova** (Azerbaijan) said that her Government had made the refugee problem in Azerbaijan a priority issue owing to its unprecedented scale, long duration and the heavy burden that it placed on the country. Azerbaijan had cooperated closely with UNHCR over the years to address the challenges arising from displacement. The High Commissioner's visit to Azerbaijan in 2004 had been an excellent opportunity to review the involvement of UNHCR in the country and had certainly enhanced the level of cooperation. Her Government had continued to work with the international community over the past year to improve the living standards of displaced persons in the country, particularly the most vulnerable groups, through the implementation of temporary integration initiatives.

34. Both UNHCR and the Office for the Coordination of Humanitarian Affairs (OCHA) had recently conducted a mission to Azerbaijan to assess the situation of IDPs there and to identify how to support the Government's efforts to find durable solutions. Their final report revealed a number of gaps and made recommendations on how to ensure better coordination on the ground. International actors, led by UNHCR, must henceforth translate those recommendations into concrete actions.

35. The response of the international community to the issue of internal displacement still left many questions unanswered and the collaborative approach chosen to address the needs of IDPs had a number of gaps in terms of coordination and protection. The wide experience of UNHCR in international refugee protection might be extremely useful for its involvement in situations of internal displacement since, in many cases, IDPs faced the same suffering and problems as refugees. Some of the initiatives and programmes elaborated by UNHCR for refugees — particularly programmes of repatriation, reintegration,

rehabilitation and reconstruction — might therefore also be applied to situations of internal displacement.

36. **Ms. Kornelíouk** (Belarus) said that international migration was a challenge requiring the concerted efforts of the international community. Belarus was taking the necessary measures to address issues related to migration and refugees both nationally and in cooperation with the relevant international organizations. Within the framework of international technical assistance projects, UNHCR representatives in Belarus were successfully tackling various important issues, including through the establishment of a modern asylum system in the country and a centre for the temporary settlement of refugees in Vitebsk. In cooperation with the International Organization for Migration, a programme had been developed to combat trafficking in people until the year 2009.

37. The Government of Belarus had established a comprehensive and effective system for the legal and social protection of forced migrants. It was also successfully implementing legislation on refugees in full compliance with international standards. The main aims of the national migration policy were to implement migration legislation effectively, improve the management of migration procedures and develop cooperation with interested States as well as with the relevant international intergovernmental and non-governmental organizations.

38. Belarus was a member of a number of regional and subregional forums devoted to cooperation in the field of migration. It actively supported the new system of dialogue and cooperation between countries of the Commonwealth of Independent States (CIS) and international organizations, which should be the logical continuation of the process of the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (CIS Conference). However, the success of the new process would largely depend on the degree of participation in it by the countries of the European Union and the international financial institutions.

39. **Mr. Elbadri** (Egypt) said that UNHCR should not only devote itself to humanitarian aid for refugees but also apply its expertise to the peaceful resolution of the armed conflicts that were the root cause of the worsening refugee problem. It should also devote more attention to the problems encountered by refugees after voluntary return.

40. Egypt welcomed the universalization of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. However, while there had been progress towards more equitable burden-sharing, UNHCR field programmes needed more timely funding with fewer earmarking restrictions. The lion's share of the world's refugees were taken in by developing and less developed States that needed technical and financial assistance to enhance their capacities to protect refugees for sustained periods, thereby forestalling secondary movements. But efforts to combat irregular migration should never infringe on human rights, and Egypt called for international support for efforts by UNHCR to make sure that refugees were covered by international law no matter what their circumstances. Egypt also supported the Convention Plus initiative.

41. His Government would continue to support the activities of UNHCR and to fulfil its humanitarian responsibility towards refugees in Egyptian territory, whose numbers far exceeded those officially registered with UNHCR.

42. **Mr. Hyassat** (Jordan), after welcoming the decision to create the post of Assistant High Commissioner for Protection, stressed the importance of enhancing cooperation among States, UNHCR and all relevant agencies and organizations in order to address the plight of refugees more effectively. In that regard, he welcomed the World Summit Outcome reaffirmation of the principle of solidarity and burden-sharing in support of host countries.

43. Following the Economic and Social Council consensus decision on the subject, his country was taking the necessary steps to become a member of the Executive Committee of the Programme of the High Commissioner for Refugees. Accordingly, his delegation would introduce, on behalf also of Portugal, a draft resolution which would increase the membership of the Executive Committee by two and request the Economic and Social Council to elect the additional members. Membership would enhance long-standing relations and cooperation between Jordan and UNHCR as well as its ability to address the issue of refugees.

44. **Mr. Hussain** (Pakistan) said that it was important to prevent conflicts and to make post-conflict areas safe for the return of refugees. His delegation hoped

that the new Peacebuilding Commission would go a long way towards pre-empting humanitarian catastrophes.

45. Pakistan, although a developing country, had 17 per cent of the word's refugee population. Moreover, UNHCR spent only 25 cents on each refugee in Pakistan. The importance of burden-sharing could therefore not be overemphasized and the international community should provide the necessary assistance. In the meantime, Pakistan was developing a viable mechanism for the return of refugees to Afghanistan through a project that would provide support for their reintegration on a sustainable basis.

The meeting rose at 11.45 a.m.